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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,824	10/11/2001	Franciso Parra Moyano	012050-084	7845
27045	7590	07/19/2006	EXAMINER GAUTHIER, GERALD	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR C11 PLANO, TX 75024			ART UNIT 2614	PAPER NUMBER

DATE MAILED: 07/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/973,824	Applicant(s) MOYANO ET AL.	
	Examiner Gerald Gauthier	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13-19, 21-48, 50-56, 58-62 and 64-76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-19, 21-34, 36-48, 50-56, 58-62, 64-71 and 73-76 is/are rejected.
- 7) ☒ Claim(s) 35 and 72 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. **Claim(s) 50-55** are objected to because of the following informalities: line 1 "claim 49" should be "claim 38". Correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claim(s) 1-11, 13-19, 21-34, 36-48, 50-56, 58-62, 64-71 and 73-76** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenthal (US 5,392,342) in view of O'Neal et al. (US 6,263,064 B1).

Regarding **claim(s) 1 and 38**, Rosenthal discloses a personal communication system (PCS) server of a personal communication system providing PCS subscribers with personal telephone numbers (FIG. 1 and column 1, 6-8), comprising:

a PCS destination profile memory for storing in association with at least one personal telephone number a number of destination profiles respectively consisting of a sequence of destination numbers indicating a number of predetermined destination locations (column 4, lines 39-51);

a routing means for completing an incoming call directed to said PTN by routing the incoming call sequentially destination locations accordance with the sequence indicated in a destination profile until said call is abandoned or answered (column 5, lines 38-45); and

a destination profile handling means for selectively handling one or more of said destination profiles stored in said PCS destination profile memory in response to a destination profile handling message received via said PCS communication system and including at least one handling parameter indicating a predetermined handling of at least one of said destination profiles (column 5, lines 38-45).

Rosenthal fails to disclose a call distribution parameter in at least one destination profile.

However, O'Neal teaches a destination profile comprising a call distribution parameters in at least one destination profile (column 11, lines 59-66), said at least one handling parameter indicating one or more call distribution parameters for one of said destination locations in said one or more destination profiles (column 12, lines 4-17).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Rosenthal using the teaching of consulting the user profile as taught by O'Neal.

This modification of the invention enables the system to have a call distribution parameter in at least one destination profile so that the user would receive a message based on the user's profile.

Regarding **claim(s) 2 and 39**, Rosenthal discloses a PCS server, wherein said destination profile handling means comprises an activation and deactivation means for selecting and activating or deactivating a predetermined one of said destination location profiles in said PCS destination profile memory in response to a handling parameter having selection, activation and deactivation options in said destination profile handling message indicating said predetermined destination location profile to be selected and activated or deactivated (column 3, lines 50-62).

Regarding **claim(s) 3, 22, 40 and 58**, Rosenthal discloses a PCS server, wherein: said PCS server has associated with it predetermined server number which said destination profile handling message is routed (column 3, lines 1-16).

Regarding **claim(s) 4, 21, 41 and 59**, Rosenthal discloses a PCS server, wherein: said PCS server further comprises a voice message storage means for storing predetermined voice messages provided to a PCS subscriber by said PCS routing means after said destination profile handling message is received by said PCS server (column 3, lines 50-62).

Regarding **claim(s) 5, 23, 26, 42 and 60**, Rosenthal discloses a PCS server, wherein: said handling parameter comprises a combination of digits and symbols which indicate selection and activation or deactivation and the number of the destination profile to be selected (column 3, lines 50-62).

Regarding **claim(s) 6, 43 and 61**, Rosenthal discloses a PCS server, wherein: said destination profile handling message includes a user authority code or a PIN wherein said PCS server further includes an authorization check means for checking the user authorization of said received destination profile handling message (column 3, lines 50-62).

Regarding **claim(s) 7 and 44**, Rosenthal discloses a PCS server, wherein: said destination profile handling message comprises a destination profile switching parameter and said destination profile handling means comprises a destination profile switching means for switching between predetermined ones of said destination profiles in said PCS destination profile memory in response to said destination profile switching parameter (column 4, lines 39-67).

Regarding **claim(s) 8, 24, 45 and 62**, Rosenthal discloses a PCS server, wherein: said destination profile switching parameter comprises a combination of digits and/or symbols which indicate a switching request and a number of the destination profile to be switched to (column 4, lines 39-67).

Regarding **claim(s) 9, 25, 46 and 64**, Rosenthal discloses a PCS server according wherein: said destination profile handling message is issued by a handling request means of a PCS subscriber telephone located within the PCS communication system (column 4, lines 39-67).

Regarding **claim(s) 10, 47 and 66**, Rosenthal discloses a PCS server, wherein: said destination profile handling message is issued by a handling request means of a PCS subscriber telephone outside the PCS communication system (column 4, lines 39-67).

Regarding **claim(s) 11 and 48**, Rosenthal discloses a PCS server, wherein: said destination profile handling message is issued from said PCS communication system which sets said handling parameters in accordance with operating conditions of said PCS system and or a telephone system connected to said PCS system (column 4, lines 39-67).

Regarding **claim(s) 27 and 65**, Rosenthal discloses a PCS server, wherein: said one or more handling parameters indicate one or more distribution parameters for one or more of said destination locations in said one or more destination profiles and said destination profile handling means comprises a call distribution parameter setting means for setting said call distribution parameters in said one or more destination profiles (column 4, lines 39-67).

Regarding **claim(s) 13, 34, 50 and 69**, Rosenthal discloses a PCS server, wherein: several call distribution parameters for one or more destination locations are indicated by the handling parameters and at least one of said call handling parameters also indicates a logical combination a call routing for said one or more location destinations (column 4, lines 39-67).

Regarding **claim(s) 14, 37, 51 and 67**, Rosenthal discloses a PCS server, wherein: said destination profile handling message comprises at least one PTN origin parameter indicating for one or more predetermined destination locations the allowed

call origin for a PTN call and said destination profile handling means comprises a first destination subset determining means for setting said at least one call origin parameter at one or more of said destination locations in at least one destination profile to determine at least one subset of destinations in at least one destination profile which shall attend to PTN calls having a call origin as indicated by said PTN call origin parameter (column 4, lines 39-67).

Regarding **claim(s) 15, 32, 38, 52 and 70**, Rosenthal discloses a PCS server, wherein: said destination profile handling message comprises at least one teleservice-type parameter indicating for one or more predetermined destination locations the allowed type of teleservice for a PTN call and said destination profile handling means comprises a second destination subset determining means for setting said at least one teleservice-type parameter at one or more of said destination locations in at least one destination profile to determine at least one subset of destinations in at least one destination profile which shall attend to PTN calls having a teleservice type as indicated by said PTN call teleservice-type parameter (column 4, lines 39-67).

Regarding **claim(s) 16, 28, 36, 53, 71 and 74**, Rosenthal discloses a PCS server according, wherein: said destination profile handling message comprises one or more busy option parameters indicating busy options for said destination locations of said destination profiles, said busy options indicating for a particular destination location either a destination location said destination profile to which a PTN to be routed by said

PCS routing means in case the particular destination location is busy, or the issuance of a busy indication to the calling subscriber, said PCS server further comprising busy option set means for setting said busy options in said destination options (column 4, lines 39-67).

Regarding **claim(s) 17, 29, 54 and 75**, Rosenthal discloses a PCS server according to claim 12, wherein: said destination profile handling message comprises one or more PTN number of calls parameters indicating for at least one destination location in said destination profile whether one or more than one call can be delivered to said destination location (column 4, lines 39-67); and

said destination profile handling means further comprises a PTN number of calls parameter setting means for setting said PTN number of calls parameter said indicated destination location (column 4, lines 39-67).

Regarding **claim(s) 18, 30, 31, 55, 73 and 76**, Rosenthal discloses a PCS server, wherein: said destination profile handling message comprises one or more PTN number of calls flags indicating for at least one destination location said destination profile whether a call is being delivered to said destination location or not (column 4, lines 39-67); and

said PCS-server further comprises a PTN number of calls flag setting means setting said PTN number of calls flags in said indicated destination profiles (column 4, lines 39-67).

Regarding **claim(s) 19 and 56**, Rosenthal in combination with O'Neal disclose all the limitations of **claim(s) 19** as stated in **claim(s) 1**'s rejection above and furthermore Rosenthal discloses wherein one or more of said destination numbers each have associated with them one or more associated call distribution parameters (column 5, lines 38-61).

Allowable Subject Matter

6. **Claim(s) 35 and 72** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to **claim(s) 1-11, 13-19, 21-48, 50-56, 58-62 and 64-76** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

PCS routing means in case the particular destination location is busy, or the issuance of a busy indication to the calling subscriber, said PCS server further comprising busy option set means for setting said busy options in said destination options (column 4, lines 39-67).

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said destination profile handling means further comprises a PTN number of calls parameter setting means for setting said PTN number of calls parameter said indicated destination location (column 4, lines 39-67).

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said PCS-server further comprises a PTN number of calls flag setting means setting said PTN number of calls flags in said indicated destination profiles (column 4, lines 39-67).

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Allowable Subject Matter

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Response to Arguments

7. Applicant's arguments with respect to **claim(s) 1-11, 13-19, 21-48, 50-56, 58-62 and 64-76** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


GERALD GAUTHIER
PATENT EXAMINER

Gerald Gauthier
Examiner
Art Unit 2614

GG
July 11, 2006